

automatically on expiration of the 1 year withholding period, or on the death, retirement, or separation of the allotter from the federal service, whichever is earlier.

(2) An allotter may revoke a perpetual or term authorization at any time by requesting it in writing from the payroll office. Discontinuance will be effective the first pay period beginning after receipt of the written revocation in the payroll office.

(3) A discontinued allotment will not be reinstated.

(h) *Transfer.* When an allotter moves to another organizational unit served by a different payroll office in the same CFC location, whether in the same office or a different Department or agency, his or her allotment authorization should be transferred to the new payroll office.

(i) *Accounting.* (1) Federal payroll offices will oversee the establishment of individual allotment accounts, the deductions each pay period, and the reconciliation of employee accounts in accordance with agency and General Accounting Office requirements. The payroll office will accept responsibility for the accuracy of remittances, as supported by current allotment authorizations, and internal accounting and auditing requirements.

(2) The PCFO shall notify the federated groups, national agencies, and local agencies as soon as practicable after the completion of the campaign, but in no case later than February 15, of the amounts, if any, designated to them and their member agencies and of the amounts of the undesignated funds, if any, allocated to them.

(3) The PCFO is responsible for the accuracy of disbursements it transmits to recipients. It shall transmit at least monthly for campaigns of \$500,000 or more or quarterly if less than that amount, minus only the approved proportionate share for administrative cost reimbursement and the PCFO fee set forth in § 950.106(d). It shall remit the contributions to each organization or to the federated group, if any, of which the organization is a member. For campaigns with gross receipts in excess of \$500,000, the PCFO will distribute all CFC receipts beginning April 1, and monthly thereafter. For campaigns with gross receipts of \$500,000 or less, the PCFO will distribute all CFC receipts beginning June 1, and quarterly thereafter. At the close of each disbursement period, the PCFO's amount shall have a balance of zero.

(4) The PCFO may make one-time disbursements to organizations receiving minimal donations from Federal employees. The LFCC must determine and authorize the amount of

these one-time disbursements. The PCFO may deduct the proportionate amount of each organization's share of the campaign's administrative costs and the average of the previous 3 years pledge loss from the one-time disbursement. This is the only approved application of adjusting for pledge loss.

(5) Federated and national charitable organizations, or their designated agents, will accept responsibility for:

(i) The accuracy of distribution amount the charitable organizations of remittances from the PCFO; and

(ii) Arrangements for an independent audit conducted by a certified public accountant agreed upon by the participating charitable organizations.

[FR Doc. 95-3821 Filed 2-15-95; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR PART 51

[Docket Number FV-94-302]

#### **Bermuda-Granex-Grano Type Onions and Onions (Other than Bermuda-Granex-Grano and Creole Type); Grade Standards**

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would revise the United States Standards for Grades of Bermuda-Granex-Grano Type Onions and United States Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Type). The proposal would set a minimum sample size for consumer size packages, provide a "Colossal" size classification, eliminate Export size classifications and designate a U.S. No. 1 Peeled Grade. It would also include other technical revisions to update the standards in accord with current handling and marketing practices.

**DATES:** Comments must be postmarked or courier dated on or before April 17, 1995.

**ADDRESSES:** Interested parties are invited to submit written comments concerning this proposal. Comments must be sent to the Fresh Products Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, P.O. Box 96456, Room 2056 South Building, Washington, DC 20090-6456. Comments should make reference to the date and page number of this issue of the **Federal Register** and will be made

available for public inspection in the above office during regular business hours.

**FOR FURTHER INFORMATION CONTACT:** Frank O'Sullivan, at the above address or call (202) 720-2185.

**SUPPLEMENTARY INFORMATION:** The U.S. Department of Agriculture is issuing this proposed rule in conformance with Executive Order 12866.

Pursuant to the requirements set forth in the Regulatory Flexibility Act (5 U.S.C. 601 *et. seq.*), the Administrator of the Agricultural Marketing Service (AMS) has determined that this action will not have a significant economic impact on substantial number of small entities. This proposed rule for the revision of U.S. Standards for Grades of Bermuda-Granex-Grano Type Onions and U.S. Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Type) will not impose substantial direct economic cost, recordkeeping, or personnel workload changes on small entities, and will not alter the market share or competitive position of these entities relative to large businesses. In addition, under the Agricultural Marketing Act of 1946, the use of these standards is voluntary.

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. This action is not intended to have retroactive effect. This proposed rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule. There are no administrative procedures which must be exhausted prior to any judicial challenge to the provisions of this rule.

Agencies periodically review existing regulations. An objective of the review is to ensure that the grade standards are serving their intended purpose, the language is clear, and the standards are consistent with AMS policy and authority.

The United States Standards for Grades of Bermuda-Granex-Grano Type Onions was last revised February 20, 1985, and the United States Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Types) was last revised October 1, 1971. In general, the Bermuda-Granex-Grano Type (BGG) standard is applied to southern grown onions that have thin papery outer scales, are harvested in the spring and summer and are not typically kept in storage. The Other Than Bermuda-Granex-Grano and Creole Types (Other Than) standard is generally applied to northern grown onions that have thick outer papery scales, are harvested in the fall and are

more commonly stored. The major distinction between the two standards for grades of these onions is the lot tolerances; 10 percent for BGG and 5 percent for Other Than. Although separated by type and tolerances, many similarities exist in the grading of these onions. The different types of onions are affected by most of the same defects. The procedures for sampling and performing grading activities are essentially the same regardless of which standard is being applied. The standards were established and have been revised separately over the years to reflect the needs of their respective industries.

A broad spectrum of growers and shippers of onions who utilize both standards, represented by The National Onion Association (NOA), have requested that the minimum sample size for consumer size packages be designated at 20 pounds. While considering the NOA's request the Department, through a periodic review, decided to take the opportunity to bring the standards into closer uniformity with each other and conformity to current harvesting, handling and marketing practices. Therefore, this proposal would revise both standards by the addition of a required minimum sample size. It would also include the following: An additional grade for peeled onions, an additional size designation for colossal onions and technical revisions to promote uniformity and clarity wherever possible. The following are revisions proposed herein:

—"Fairly firm" is now a basic requirement only in the Other Than standard. "Fairly firm" would be added as a basic requirement to the U.S. No. 1 grade in the BGG standard (§ 51.3195) and also included in the Definitions section (§ 51.3205). This would make both U.S. Standards uniform in their basic requirements for a U.S. No. 1 onion.

—The BGG standard currently contains paragraphs for tolerances in each of the respective grade sections. The Other Than standard now contains a specific section entitled "Tolerances" which is the format established for more recent and current standards. To make referencing much easier and to make both U.S. Standards current and uniform in the way they read, a specific section for Tolerances (§ 51.3200) would be established in the BGG standard. The actual tolerances would not be changed, only the location in the standard.

—A U.S. No. 1 Peeled grade would be established for both standards (§§ 51.2835 and 51.3196). The marketing of fresh-cut, "ready to use" products has expanded greatly in the last few years in the produce industry. Onions offered for sale whole and completely peeled as a fresh product ready to use have been part of this expanding market. This grade would provide clear and defined trading language helping to facilitate the increased movement in these type of onions. The new grade would read as follows:

"U.S. No. 1 Peeled consists of onions which meet all the requirements for the U.S. No. 1 grade" ("except for damage by peeling" in the Other Than standard). "Furthermore, onions must be free from any outer papery scales in order to meet the requirements of this grade."

A 5 percent tolerance for onions in a lot with outer papery scales in any amount would also be provided in the tolerance section.

—Both the BGG and Other Than standards contain the grade classification "Unclassified." This grade would be deleted from both standards since it is not an actual grade classification and is rarely, if ever used. Elimination of Unclassified would also maintain consistency with

newer versions of standards for other commodities.

—Currently size classifications in each of the standards are similar but not completely the same. Each standard now contains size designations for small, medium and large sizes. The BGG standard also references a Repacker or Prepacker size, while the Other Than standard contains export small, export medium and export large sizes as well as regional specifications for the medium size.

Size classifications would be revised and placed in chart form for each standard (§§ 51.2837 and 51.3199) to achieve uniformity and clarity.

A new size classification for colossal onions would be added to both standards based on the increased trade in this size product and the need for common trading language.

In the Other Than standard three additional changes would also be made to the size classifications. First, the reference to export sizes would be eliminated since these sizes are rarely, if ever used. The reference to these sizes in the Application of Tolerances section would also be eliminated. There would be no need for this reference if the sizes were dropped. Next, the medium size classification would no longer give smaller size exception for "onions grown in Minnesota, Iowa, and States east of the Mississippi River \* \* \*." This would eliminate confusion in the trade and standardize across the nation the size of onions referred to as "Medium." Finally, the Repacker/Prepacker size currently only referenced in the BGG standard would be included in the Other Than standard. This would make both standards completely uniform along size classifications providing common and standardized trading language in reference to size for onions shipped from anywhere in the country. The new size chart proposed for each standard would read as follows:

Size designation	Minimum diameter		Maximum diameter	
	Inches	Millimeters	Inches	Millimeters
Small .....	1	25.4	2¼	57.2
Repacker/Prepacker <sup>1</sup> .....	1¾	44.5	3	76.2
Medium .....	2	50.8	3¼	82.6
Large or Jumbo .....	3	76.2	( <sup>2</sup> )	
Colossal .....	3¾	95.3	( <sup>2</sup> )	

<sup>1</sup> In addition to the sizes specified, a lot of onions designated as Repacker or Prepacker shall contain at least 60 percent or more 2 inches or larger in diameter.

<sup>2</sup> No requirement.

—Sample size is not currently defined in the standards for onions. Inspections are performed using the consumer package that onions are

packed in as the sample. While this may be a fair and accurate way to determine percentages of defects for 50 pound sacks, when smaller

consumer size packages (i.e., 2, 3, 5, pounds) are taken as the sample a lot may be thrown out of grade by a proportionately small number of

onions due to the restrictions imposed by the application of tolerances.

A specified sample size would provide more uniform sampling when certifying various sizes of smaller packages. Also, to apply tolerances more accurately to these smaller packages in conjunction with the change in sample size the application of tolerances would need to be applied to the sample as opposed to the package.

Therefore, this proposal would add new sections (§ 51.2839 in Other Than and 51.3201 in BGG), Samples For Grade And Size Determination, to each standard. The addition of sample size requirements, §§ 51.2839 in Other Than and 51.3201 in BGG, will read as follows in both standards: "Individual samples shall consist of at least 20 pounds. When individual packages contain 20 pounds or more and the onions are packed for Large or Jumbo size or larger the package shall be the sample. When individual packages contain less than 20 pounds, a sufficient number of adjoining packages are opened to provide at least a 20 pound sample." For onions smaller than Large or Jumbo size (3 inches), a 20 pound sample would be sufficient regardless of the package size because the onions are small. Defects are determined by weight and therefore smaller onions provide ample numbers of units for inspection purposes, whereas the larger onions provide fewer specimens in the same size sample. With this proposed addition of sample sizes a more uniform determination of defect percentages will be applied to the various sizes of onions in both small and large packages.

To further enhance the uniform determination of defect tolerances this proposal would also modify the Application of Tolerances section in each standard, §§ 51.2840 & 51.3202.

Currently each standard limits the individual package from exceeding certain tolerances. Each standard now reads, in part, as follows: "\* \* \* the contents of individual packages in the lot, based on sample inspection, are subject to the following limitations \* \* \*."

This proposal would change those limits from the package to the sample. The modified sections as proposed would read, in part: "Individual samples are subject to the following limitations: \* \* \*" Of course, in some instances the package still remains the sample.

This proposed change in the application of tolerances is intended to enhance clarity, simplicity and uniformity of inspection procedure. Since the sample would be the unit of

inspection the tolerances should apply to that unit. A single package could be just one part of the unit of inspection (in a combined 20 pound sample) and applying the limits of tolerances to that package would confuse and complicate the inspection process.

—Currently each standard contains sections entitled "Damage" and "Serious Damage." The paragraphs within each of these sections list defects and the definitions of damage or serious damage by these defects. The following proposed revisions would affect some of these defect definitions in the interest of providing clear language, uniformity of application and consistency with current marketing and handling practices.

Currently Dry sunscald is a defect listed under damage in both standards and also under serious damage in the BGG standard. Over the years there has been some confusion surrounding the identification of this defect because dirt clod bruising of the onions may cause an area similar looking to dry sunscald. To eliminate confusion and to standardize inspection procedures the term Dry sunken areas is proposed as a replacement for the term Dry sunscald. This definition is more objective and precise. (Sections 51.2850(f) and 51.3209(c).)

The proposed definition for serious damage by dry sunken areas would remain the same in the BGG standard as it currently reads (51.3211(b)). The same definition would be added to the Other Than Standard (51.2853(f)). This would maintain uniformity and clarity in each of the standards.

Some of the defects currently listed in the damage and serious damage sections are defined in terms of when materially or seriously detracting from the appearance of the lot. Hence, these defects are scored as damage or serious damage when the lot is affected to a certain degree as opposed to when the individual onions are affected. The method of judging when the appearance of the lot is to be scored should be more precise and objective.

In the Other Than standard damage and serious damage by dirt or staining, and damage by dry roots, tops and sunburn are defined this way. In the BGG standard damage and serious damage by staining, dirt or other foreign material is also defined this way.

This proposed rule would set percentage allowances for when the lot is damaged or seriously damaged by individual defective specimens. For example the current definition for damage by dry roots in the Other Than

standard reads: "when detracting from the appearance of the lot more than the presence of 20 percent of the onions having all roots 2 inches in length." The proposed revision would read: "when more than 20 percent of the onions in a lot have practically all roots 2 inches or more in length." The new definition should be more objective and precise. "Practically all" was added to be more realistic in determining the number of roots. This term means 95 percent or more as defined in the General Inspection Instructions of the Fresh Products Branch. Each of the defects listed above would be clarified in this way while keeping the intent of the scoring guidelines intact. See §§ 51.2850(c), (e), (g), (l) and 51.2853(b) in Other Than and §§ 51.3209(f), (h) and 51.3211(d) in BGG.

The Other Than standard currently contains definitions for damage by new roots, dry roots, tops, and watery scale. The BGG standard does not currently contain definitions for any of these defects. In an effort to promote uniformity and clarity these definitions would be added to the BGG standard.

The current definition for damage by watery scale in the Other Than standard reads: "when more than the equivalent of the entire outer fleshy scale is affected by an off-color, watersoaked condition." To distinguish this defect from another condition called translucent scale an additional clarification is proposed. The following words would be added to the watery scale definition: "\* \* \* The off-color must be of some shade of brown or yellow." The serious damage definition would also be modified. The BGG standard as mentioned above would also have these definitions included for uniformity. (Sections 51.2850(k) & 51.2853(a) and 51.3209(l) and 51.3211(f).)

Neither standard currently has a definition for damage by translucent scales. To provide clear language that is consistent with current marketing practices a definition would be provided as follows: "when more than the equivalent of two entire outer fleshy scales have a watersoaked condition." To provide uniformity each standard would be affected. (Sections 51.2850(n) and 51.3209(k).)

The BGG standard currently contains definitions for damage and serious damage by mechanical means. The Other Than standard does not contain these definitions. To be consistent with current handling practices for both types of onions and to provide uniformity between the standards, the current BGG definitions for mechanical damage and serious damage would be

added to the Other Than standard. (Sections 51.2850(m) and 51.2853(e).) —Finally, the BGG standard currently does not contain a metric conversion table. The Other Than standard does. To keep both standards uniform and to bring the BGG standard up to date with current standard format a metric conversion table would be added. (Section 51.3213.)

#### List of Subjects in 7 CFR Part 51

Agricultural commodities, Food grades and standards, Fruits, Nuts, Reporting and recordkeeping requirements, Vegetables.

#### PART 51—[AMENDED]

For reasons set forth in the preamble, it is proposed that 7 CFR part 51 be amended as follows:

1. The authority citation for 7 CFR part 51 continues to read as follows:

**Authority:** 7 U.S.C. 1622, 1624.

2. Part 51, Subpart—United States Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Types) is revised to read as follows:

#### Subpart—United States Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Types)

##### Grades

- Sec.  
51.2830 U.S. No. 1.  
51.2831 U.S. Export No. 1.  
51.2832 U.S. Commercial.  
51.2833 U.S. No. 1 Boilers.  
51.2834 U.S. No. 1 Picklers.  
51.2835 U.S. No. 1 Peeled.  
51.2836 U.S. No. 2.

##### Size Classifications

- 51.2837 Size classifications.

##### Tolerances

- 51.2838 Tolerances.

##### Samples for Grade and Size Determination

- 51.2839 Samples for grade and size determination.

##### Application of Tolerances

- 51.2840 Application of tolerances.

##### Export Packing Requirements

- 51.2841 Export packing requirements.

##### Definitions

- 51.2842 Mature.  
51.2843 Dormant.  
51.2844 Fairly firm.  
51.2845 Fairly well shaped.  
51.2846 Wet sunscald.  
51.2847 Doubles.  
51.2848 Bottlenecks.  
51.2849 Scallions.  
51.2850 Damage.  
51.2851 Diameter.  
51.2852 Badly misshapen.  
51.2853 Serious damage.

- 51.2854 One type.

##### Metric Conversion Table

- 51.2855 Metric conversion table.

#### Subpart—United States Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Types)

##### Grades

#### § 51.2830 U.S. No. 1.

*U.S. No. 1* consists of onions which meet the following requirements:

(a) Basic requirements:

- (1) Similar varietal characteristics;
- (2) Mature;
- (3) Fairly firm; and,
- (4) Fairly well shaped.

(b) Free from:

- (1) Decay;
  - (2) Wet sunscald;
  - (3) Doubles;
  - (4) Bottlenecks; and,
  - (5) Scallions.
- (c) Free from damage caused by:
- (1) Seedstems;
  - (2) Splits;
  - (3) Tops;
  - (4) Roots;
  - (5) Dry sunken areas;
  - (6) Sunburn;
  - (7) Sprouts;
  - (8) Freezing;
  - (9) Peeling;
  - (10) Cracked fleshy scales;
  - (11) Watery scales;
  - (12) Dirt or staining;
  - (13) Foreign matter;
  - (14) Disease;
  - (15) Insects; and,
  - (16) Other means.

(d) For tolerances see § 51.2838

(e) Size. Unless otherwise specified the diameter shall be not less than 1½ inches, and yellow, brown, or red onions shall have 40 percent or more, and white onions shall have 30 percent or more, by weight, of the onions in any lot 2 inches or larger in diameter.

(f) When a percentage of the onions is specified to be of any certain size or larger, no part of any tolerance shall be allowed to reduce the specified percentage, but individual packages in a lot may have as much as 25 percentage points less than the percentage specified, except that individual packages containing 10 pounds or less shall have no requirements as to percentage of a certain size or larger: *Provided*, that any lot, regardless of package size, shall average within the percentage specified. (See §§ 51.2837 and 51.2838.)<sup>1</sup>

<sup>1</sup> Any lot of onions quoted as being of size smaller than 1½ inches minimum, such as "U.S. No. 1, 1¼ inches min." is not required to meet the percentages

#### § 51.2831 U.S. Export No. 1.

*U.S. Export No. 1* consists of onions which meet the following requirements:

(a) Basic requirements:

- (1) Similar varietal characteristics;
- (2) Mature;
- (3) Dormant;
- (4) Fairly firm; and,
- (5) Fairly well shaped.

(b) Free from:

- (1) Decay;
  - (2) Wet sunscald;
  - (3) Doubles;
  - (4) Bottlenecks; and,
  - (5) Scallions.
- (c) Free from damage caused by:
- (1) Seedstems;
  - (2) Splits;
  - (3) Tops;
  - (4) Roots;
  - (5) Dry sunken areas;
  - (6) Sunburn;
  - (7) Sprouts;
  - (8) Freezing;
  - (9) Peeling;
  - (10) Cracked fleshy scales;
  - (11) Watery scales;
  - (12) Dirt or staining;
  - (13) Foreign matter;
  - (14) Disease;
  - (15) Insects; and,
  - (16) Other means.

(d) Unless otherwise specified onions are packed in accordance with Export Packing Requirements set forth in § 51.2841. (See § 51.2838.)

#### § 51.2832 U.S. Commercial.

*U.S. Commercial* consists of onions which meet the following requirements:

(a) Basic requirements:

- (1) Similar varietal characteristics;
- (2) Mature;
- (3) Not soft or spongy; and,
- (4) Not badly misshapen.

(b) Free from:

- (1) Decay;
  - (2) Wet sunscald;
  - (3) Doubles;
  - (4) Bottlenecks; and,
  - (5) Scallions.
- (c) Free from damage caused by:
- (1) Seedstems;
  - (2) Tops;
  - (3) Roots;
  - (4) Dry sunken areas;
  - (5) Sunburn;
  - (6) Sprouts;
  - (7) Freezing;
  - (8) Cracked fleshy scales;
  - (9) Watery scales;
  - (10) Disease;
  - (11) Insects; and,
  - (12) Other means.

(d) Free from serious damage caused by:

which shall be 2 inches or larger as specified in the U.S. No. 1 grade.

(1) Staining;  
 (2) Dirt; and,  
 (3) Other foreign matter.  
 (e) For tolerances see § 51.2838.  
 (f) Size. Unless otherwise specified, the diameter shall be not less than 1½ inches. (See §§ 51.2837 and 51.2838.)

#### § 51.2833 U.S. No. 1 Boilers.

*U.S. No. 1 Boilers* consists of onions which meet all the requirements for the U.S. No. 1 grade except for size. (See § 51.2830.) Size. The diameter of onions of this grade shall be not less than 1 inch nor more than 1⅞ inches. (See § 51.2838.)

#### § 51.2834 U.S. No. 1 Picklers.

*U.S. No. 1 Picklers* consists of onions which meet all the requirements for the U.S. No. 1 grade except for size. (See § 51.2830.) Size. The maximum diameter of onions of this grade shall be not more than 1 inch. (See § 51.2838.)

#### § 51.2835 U.S. No. 1 Peeled.

*U.S. No. 1 Peeled* consists of onions which meet all the requirements for the U.S. No. 1 grade except for damage

caused by peeling. Furthermore, onions must be free from any outer papery scales in order to meet the requirements of this grade. (See § 51.2830.)

(a) Size. Unless otherwise specified the diameter shall be not less than 1½ inches with 30 percent or more, by weight, of the onions in any lot 2 inches or larger in diameter.

(b) When a percentage of the onions is specified to be of any certain size or larger, no part of any tolerance shall be allowed to reduce the specified percentage, but individual packages in a lot may have as much as 25 percentage points less than the percentage specified, except that individual packages containing 10 pounds or less shall have no requirements as to percentage of a certain size or larger: *Provided*, that any lot, regardless of package size, shall average within the percentage specified.

(See §§ 51.2837 and 51.2838.)<sup>2</sup>

#### § 51.2836 U.S. No. 2.

*U.S. No. 2* consists of onions which meet the following requirements:

(a) Basic requirements:

(1) One type;  
 (2) Mature; and,  
 (3) Not soft or spongy.

(b) Free from:

(1) Decay;  
 (2) Wet sunscald; and,  
 (3) Scallions.

(c) Free from serious damage caused by:

(1) Seedstems;  
 (2) Dry sunken areas;  
 (3) Sprouts;  
 (4) Freezing;  
 (5) Watery scales;  
 (6) Disease;  
 (7) Insects; and,  
 (8) Other means.

(d) For tolerances see § 51.2838.

(e) Size. Unless otherwise specified, the diameter shall not be less than 1½ inches. (See §§ 51.2837 and 51.2838.)

#### Size Classifications

##### § 51.2837 Size classifications.

The size of onions may be specified in accordance with one of the following classifications.

Size designation	Minimum diameter		Maximum diameter	
	Inches	Millimeters	Inches	Millimeters
Small .....	1	25.4	2¼	57.2
Repacker/Prepacker <sup>1</sup> .....	1¾	44.5	3	76.2
Medium .....	2	50.8	3¼	82.6
Large or jumbo .....	3	76.2	(2)	.....
Colossal .....	3¾	95.3	(2)	.....

<sup>1</sup> In addition to the sizes specified, a lot of onions designated as Repacker or Prepacker shall contain at least 60 percent or more 2 inches or larger in diameter.

<sup>2</sup> No requirement.

#### Tolerances

##### § 51.2838 Tolerances.

In order to allow for variations incident to proper grading and handling in each of the foregoing grades the following tolerances, by weight, are provided as specified:

(a) For defects:

(1) *U.S. No. 1, U.S. Export No. 1, U.S. No. 1 Boilers and U.S. No. 1 Picklers grades.*

(i) Not more than 10 percent of the onions in a lot may be damaged by peeling;

(ii) Not more than 5 percent of the onions in a lot may be below the remaining requirements of these grades, but not more than two-fifths of this tolerance, or 2 percent, may be allowed for onions which are affected by decay or wet sunscald (see § 51.2840); and,

(2) *U.S. No. 1 Peeled grade.*

(i) Not more than 5 percent of the onions in a lot may have outer papery scales in any amount;

(ii) Not more than 5 percent of the onions in a lot may be below the remaining requirements of the grade, but not more than two-fifths of this tolerance, or 2 percent, may be allowed for onions which are affected by decay or wet sunscald (see § 51.2840); and,

(3) *U.S. Commercial and U.S. No. 2 grades.*

(i) Not more than 5 percent of the onions in a lot may be below the requirements of these grades, but not more than two-fifths of this tolerance, or 2 percent, may be allowed for onions which are affected by decay or wet sunscald. (See § 51.2840.)

(b) For off-size:

(1) *U.S. No. 1, U.S. No. 1 Boilers, U.S. No. 1 Peeled, U.S. Commercial, and U.S. No. 2 grades.* Not more than 5 percent

of the onions in a lot may be below the specified minimum size, and not more than 10 percent may be above any specified maximum size. (See § 51.2840.)

(2) *U.S. No. 1 Pickler grade.* Not more than 10 percent of the onions in a lot may be above the maximum size specified for this grade. (See § 51.2840.)

#### Samples for Grade and Size Determination

##### § 51.2839 Samples for grade and size determination.

Individual samples shall consist of at least 20 pounds. When individual packages contain 20 pounds or more and the onions are packed for Large or Jumbo size or larger the package shall be the sample. When individual packages contain less than 20 pounds, a sufficient number of adjoining packages are

<sup>2</sup> Any lot of onions quoted as being of size smaller than 1½ inches minimum, such as "U.S. No. 1, 1¼ inches min." is not required to meet the percentages

which shall be 2 inches or larger as specified in the U.S. No. 1 grade.

opened to provide at least a 20 pound sample.

### Application of Tolerances

#### § 51.2840 Application of tolerances.

Individual samples are subject to the following limitations:

(a) Samples which contain more than 20 pounds shall have not more than one and one half times a specified tolerance of 10 percent or more, and not more than double a specified tolerance of less than 10 percent, except that at least one defective and one off-size onion may be permitted in any sample: *Provided*, that en-route or at destination when onions in containers of 50 pounds or more are packed to a minimum size of 3 inches or larger not more than three onions or more than 4 percent (whichever is the larger amount) may be affected by decay or wet sunscald: And *provided further*, that the averages for the entire lot are within the tolerances specified for the grade; and,

(b) Samples which contain 20 pounds shall have not more than double the tolerance specified, except that at least one defective and one off-size onion may be permitted in any sample: *Provided*, that the averages for the entire lot are within the tolerances specified for the grade.

### Export Packing Requirements

#### § 51.2841 Export packing requirements.

Onions specified as meeting Export Packing Requirements shall be packed in containers having a net capacity of 25 kilograms (approximately 56 pounds).

### Definitions

#### § 51.2842 Mature.

*Mature* means well cured. Midseason onions which are not customarily held in storage shall be considered mature when harvested in accordance with good commercial practice at a stage which will not result in the onions becoming soft or spongy.

#### § 51.2843 Dormant.

*Dormant* means that at least 90 percent of the onions in any lot show no evidence of growth as indicated by distinct elongation of the growing point or distinct yellow or green color in the tip of the growing point.

#### § 51.2844 Fairly firm.

*Fairly firm* means that the onion may yield slightly to moderate pressure but is not appreciably soft or spongy.

#### § 51.2845 Fairly well shaped.

*Fairly well shaped* means having the shape characteristic of the variety, but onions may be slightly off-type or slightly misshapen.

#### § 51.2846 Wet sunscald.

*Wet sunscald* means sunscald which is soft, mushy, sticky or wet.

#### § 51.2847 Doubles.

*Doubles* means onions which have developed more than one distinct bulb joined only at the base.

#### § 51.2848 Bottlenecks.

*Bottlenecks* are onions which have abnormally thick necks with only fairly well developed bulbs.

#### § 51.2849 Scallions.

*Scallions* are onions which have thick necks and relatively small and poorly developed bulbs.

#### § 51.2850 Damage.

*Damage* means any specific defect described in this section; or any equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or marketing quality of the onions. The following specific defects shall be considered as damage:

(a) Seedstems which are tough or woody, or which are more than 1/4 inch in diameter;

(b) Splits when onions with two or more hearts are not practically covered by one or more outer scales;

(c) Tops when more than 30 percent of the onions in a lot have tops 3 inches or more in length;

(d) New roots when most roots on an individual onion have grown to a length of 1 inch or more in length;

(e) Dry roots when more than 20 percent of the onions in a lot have practically all roots 2 inches or more in length;

(f) Dry sunken areas when the affected areas exceed the equivalent to that of a circle 1/2 inch in diameter on an onion 2 3/4 inches in diameter which does not have the outer papery scale covering the affected areas or when the affected areas exceed the equivalent to that of a circle 3/4 inch in diameter on an onion 2 3/4 inches in diameter which has the outer papery scale covering the affected areas. Correspondingly lesser or greater areas are allowed on smaller or larger onions;

(g) Sunburn when more than 33 percent of the onions in a lot have a medium green color on one-third of the surface;

(h) Sprouts when visible, or when concealed within the dry top and more than three-fourths inch in length on an onion 2 inches or larger in diameter, or proportionately shorter on smaller onions;

(i) Peeling when more than one-half of the thin papery skin is missing, leaving the underlying fleshy scale unprotected;

(j) Cracked fleshy scales when one or more of the fleshy scales are cracked;

(k) Watery scales when more than the equivalent of the entire outer fleshy scale is affected by an off-color, water-soaked condition. The off-color must be of some shade of brown or yellow;

(l) Dirt, staining or other foreign matter when more than 20 percent of the onions in a yellow, brown or red lot, or more than 15 percent of the onions in a white lot are appreciably stained. Onions with adhering dirt or other foreign matter shall be judged on the same basis as stained onions;

(m) Mechanical when any cut extends deeper than one fleshy scale, or when any bruise breaks a fleshy scale; and,

(n) Translucent scales when more than the equivalent of two entire outer fleshy scales have a water-soaked condition.

#### § 51.2851 Diameter.

*Diameter* means the greatest dimension measured at right angles to a straight line running from the stem to the root.

#### § 51.2852 Badly misshapen.

*Badly misshapen* means that the onion is so misshapen that its appearance is seriously affected.

#### § 51.2853 Serious damage.

*Serious damage* means any specific defect described in this section; or any equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which seriously detracts from the appearance, or the edible or marketing quality of the onions. The following specific defects shall be considered as serious damage:

(a) Watery scales when more than the equivalent of two entire outer fleshy scales are affected by an off-colored, water-soaked condition. The off-color must be of some shade of brown or yellow;

(b) Dirt, staining or other foreign matter when more than 25 percent of the onions in a lot are badly stained. Onions with adhering dirt or other foreign matter shall be judged on the same basis as stained onions;

(c) Seedstems when more than one-half inch in diameter;

(d) Sprouts when the visible length is more than one half inch;

(e) Mechanical when any cut extends deeper than two fleshy scales, or when cuts seriously damage the appearance of the onion; and,

(f) Dry sunken areas when extending deeper than one fleshy scale, or when affecting an area equivalent to that of a circle 1 inch in diameter on an onion

2¾ inches in diameter, or correspondingly lesser or greater areas on smaller or larger onions.

**§ 51.2854 One type.**

*One type* means that the onions are within the same general color category.

**Metric Conversion Table**

**§ 51.2855 Metric conversion table.**

Inches	Millimeters (mm)
1/8 .....	3.2
1/4 .....	6.4
3/8 .....	9.5
1/2 .....	12.7
5/8 .....	15.9
3/4 .....	19.1
7/8 .....	22.2
1 .....	25.4
1 1/4 .....	31.8
1 1/2 .....	38.1
1 3/4 .....	44.5
2 .....	50.8
2 1/2 .....	63.5
2 3/4 .....	69.9
3 .....	76.2
3 1/2 .....	88.9
4 .....	101.6

3. In Subpart—United States Standards for Grades of Bermuda-Granex-Grano Type Onions is revised to read as follows:

**Subpart—United States Standards for Grades of Bermuda-Granex-Grano Type Onions**

**Grades**

Sec.

- 51.3195 U.S. No. 1.
- 51.3196 U.S. No. 1 Peeled.
- 51.3197 U.S. Combination.
- 51.3198 U.S. No. 2.
- Size Classifications
- 51.3199 Size classifications.

**Tolerances**

- 51.3200 Tolerances

**Samples for Grade and Size Determination**

- 51.3201 Samples for grade and size determination.

**Application of Tolerances**

- 51.3202 Application of tolerances.

**Definitions**

- 51.3203 Similar varietal characteristics.
- 51.3204 Mature.
- 51.3205 Fairly firm.
- 51.3206 Fairly well shaped.
- 51.3207 Wet sunscald.
- 51.3208 Doubles.
- 51.3209 Bottlenecks.
- 51.3210 Damage.
- 51.3211 Serious damage.
- 51.3212 Diameter.

**Metric Conversion Table**

- 51.3213 Metric conversion table.

**Subpart—United States standards for Grades of Bermuda-Granex-Grano Type Onions**

**Grades**

**§ 51.3195 U.S. No. 1**

*U.S. No. 1* consists of onions which meet the following requirements:

- (a) Basic requirements:
  - (1) Similar varietal characteristics;
  - (2) Mature;
  - (3) Fairly firm; and,
  - (4) Fairly well shaped.
- (b) Free from:
  - (1) Decay;
  - (2) Wet sunscald;
  - (3) Doubles; and,
  - (4) Bottlenecks.
- (c) Free from damage caused by:
  - (1) Seedstems;
  - (2) Splits;
  - (3) Moisture;
  - (4) Roots;
  - (5) Dry sunscald;
  - (6) Sunburn;
  - (7) Sprouting;
  - (8) Staining;
  - (9) Dirt or foreign material;
  - (10) Disease;
  - (11) Insects;
  - (12) Mechanical; and,
  - (13) Other means.
- (d) For size and tolerances see §§ 51.3199 and 51.3200.

**§ 51.3196 U.S. No. 1 Peeled.**

*U.S. No. 1 Peeled* consists of onions which meet all the requirements for the

U.S. No. 1 grade. Furthermore, onions must be free from any outer papery scales in order to meet the requirements of this grade. (See §§ 51.3199 and 51.3200.)

**§ 51.3197 U.S. Combination.**

*U.S. Combination* consists of a combination of U.S. No. 1 and U.S. No. 2 onions: *Provided*, that at least 50 percent, by weight, of the onions in each lot meet the requirements of U.S. No. 1 grade. (See §§ 51.3199 and 51.3200.)

**§ 51.3198 U.S. No. 2.**

*U.S. No. 2* consists of onions which meet the following requirements:

- (a) Basic requirements:
  - (1) Similar varietal characteristics; and,
  - (2) Not soft or spongy.
- (b) Free from:
  - (1) Decay;
  - (2) Wet sunscald; and,
  - (3) Bottlenecks.
- (c) Free from serious damage caused by:

- (1) Seedstems;
- (2) Dry sunken areas;
- (3) Sprouting;
- (4) Staining;
- (5) Dirt or other foreign material;
- (6) Disease;
- (7) Insects;
- (8) Mechanical; and,
- (9) Other means.

(d) For size and tolerances see §§ 51.3199 and 51.3200.

**Size Classifications**

**§ 51.3199 Size classifications.**

Size shall be specified in connection with the grade in terms of minimum diameter, range in diameter, minimum diameter with a percentage of a certain size or larger, or in accordance with one of the size classifications listed below: *Provided*, that unless otherwise specified, onions shall not be less than 1½ inches in diameter, with 60 percent or more 2 inches or larger in diameter.

Size designation	Minimum diameter		Maximum diameter	
	Inches	Millimeters	Inches	Millimeters
Small .....	1	25.4	2¼	57.2
Repacker/Prepacker <sup>1</sup> .....	1¾	44.5	3	76.2
Medium .....	2	50.8	3¼	82.6
Large or jumbo .....	3	76.2	( <sup>2</sup> )	
Colossal .....	3¾	95.3 ( <sup>2</sup> )		

<sup>1</sup> In addition to the sizes specified, a lot of onions designated as Repacker or Prepacker shall contain at least 60 percent or more 2 inches or larger in diameter.

<sup>2</sup> No requirement.

**Tolerances****§ 51.3200 Tolerances.**

In order to allow for variations incident to proper grading and handling in each of the foregoing grades the following tolerances, by weight, are provided as specified:

(a) For defects:

(1) *U.S. No. 1 and U.S. No. 2 grades.*

(i) Not more than 10 percent of the onions in a lot may fail to meet the requirements of these grades, but not more than one-fifth of this tolerance, or 2 percent, may be allowed for onions which are affected by decay or wet sunscald.

(2) *U.S. No. 1 Peeled grade.*

(i) Not more than 5 percent of the onions in a lot may have outer papery scales in any amount;

(ii) Not more than 10 percent of the onions in a lot may be below the remaining requirements of the grade, but not more than one-fifth of this tolerance, or 2 percent, may be allowed for onions which are affected by decay or wet sunscald.

(3) *U.S. Combination grade.*

(i) When applying the foregoing tolerances to this grade no part of any tolerance shall be allowed to reduce, for the lot as a whole, the 50 percent of onions of the U.S. No. 1 grade, but individual containers shall have not less than 40 percent of the U.S. No. 1 grade.

(b) For size:

(1) Not more than 5 percent of the onions in a lot may be smaller than the minimum diameter specified. In addition, not more than 10 percent of the onions in a lot may be larger than the maximum diameter specified.

(2) When a percentage of the onions is specified to be a certain size and larger, individual packages containing more than 10 pounds may have not less than one-half of the percentage specified: *Provided*, that the entire lot averages within the percentage specified.

**Samples for Grade and Size Determination****§ 51.3201 Samples for grade and size determination.**

Individual samples shall consist of at least 20 pounds. When individual packages contain 20 pounds or more and the onions are packed for Large or Jumbo size or larger the package shall be the sample. When individual packages contain less than 20 pounds, a sufficient number of adjoining packages are opened to provide at least a 20 pound sample.

**Application of Tolerances****§ 51.3202 Application of tolerances.**

Individual samples are subject to the following limitations:

(a) Samples which contain more than 20 pounds shall have not more than one and one half times a specified tolerance of 10 percent or more, and not more than double a specified tolerance of less than 10 percent, except that at least one defective and one off-size onion may be permitted in any sample: *Provided*, that enroute or at destination when onions in containers of 50 pounds or more are packed to a minimum size of 3 inches or larger not more than three onions or more than 4 percent (whichever is the larger amount) may be affected by decay or wet sunscald: *And provided further*, that the averages for the entire lot are within the tolerances specified for the grade; and,

(b) Samples which contain 20 pounds shall have not more than double the tolerance specified, except that at least one defective and one off-size onion may be permitted in any sample: *Provided*, that the averages for the entire lot are within the tolerances specified for the grade.

**Definitions****§ 51.3203 Similar varietal characteristics.**

*Similar varietal characteristics* means that the onions in any container are similar in color, shape and character of growth.

**§ 51.3204 Mature.**

*Mature* means that the onion is fairly well cured, and at least fairly firm.

**§ 51.3205 Fairly firm.**

*Fairly firm* means that the onion may yield slightly to moderate pressure but is not appreciably soft or spongy.

**§ 51.3206 Fairly well shaped.**

*Fairly well shaped* means that the onion shows the characteristic shape, not appreciably three-, four- or five-sided, thick necked or badly pinched.

**§ 51.3207 Wet sunscald.**

*Wet sunscald* means any sunscald which is soft, mushy, sticky or wet.

**§ 51.3208 Doubles.**

*Doubles* means onions which have developed more than one distinct bulb joined only at the base.

**§ 51.3209 Bottlenecks.**

*Bottlenecks* means onions which have abnormally thick necks with only fairly well developed bulbs.

**§ 51.3210 Damage.**

*Damage* unless otherwise specifically defined in this section, means any defect which materially affects the appearance, or the edible or shipping quality of the onions. Any one of the following defects, or combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Seedstems which are tough or woody, or which are more than one-fourth inch in diameter;

(b) Splits when well cured onions are not practically covered by an outer scale, or when fairly well cured onions are not completely covered by one outer scale;

(c) Dry sunken areas when the affected areas exceed the equivalent to that of a circle  $\frac{1}{2}$  inch in diameter on an onion  $2\frac{3}{4}$  inches in diameter which does not have the outer papery scale covering the affected areas or when the affected areas exceed the equivalent to that of a circle  $\frac{3}{4}$  inch in diameter on an onion  $2\frac{3}{4}$  inches in diameter which has the outer papery scale covering the affected areas. Correspondingly lesser or greater areas are allowed on smaller or larger onions;

(d) Sunburn when dark green in color and affecting an area equivalent to that of a circle 1 inch in diameter on an onion  $2\frac{3}{4}$  inches in diameter or correspondingly smaller or larger areas on smaller or larger onions, or when medium to light green in color and affecting more than 10 percent of the surface of the onion;

(e) Sprouting when any sprout is visible, or when concealed within the neck scales and are more than three-fourths inch in length on an onion 2 inches or larger in diameter, or proportionately shorter on smaller onions;

(f) Staining, dirt or other foreign material when more than 20 percent of the onions in a yellow, brown or red lot, or more than 15 percent of the onions in a white lot are appreciably stained. Onions with adhering dirt or other foreign matter shall be judged on the same basis as stained onions;

(g) Mechanical when any cut extends deeper than one fleshy scale, or when any bruise breaks a fleshy scale;

(h) Tops when more than 30 percent of the onions in a lot have tops 3 inches or more in length;

(i) New roots when most roots on an individual onion have grown to a length of 1 inch or more;

(j) Dry roots when practically all roots are 2 inches or more in length;

(k) Translucent scales when more than the equivalent of two entire outer



fleshy scales have a watersoaked condition; and,

(l) Watery scales when more than the equivalent of the entire outer fleshy scale is affected by an off-color, watersoaked condition. The off-color must be of some shade of brown or yellow.

#### § 51.3211 Serious damage.

*Serious damage* unless otherwise specifically defined in this section, means any defect which seriously affects the appearance, or the edible or shipping quality of the onions. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(a) Seedstems when more than one-half inch in diameter;

(b) Dry sunken areas when extending deeper than one fleshy scale, or when affecting an area equivalent to that of a circle 1 inch in diameter on an onion 2¾ inches in diameter, or correspondingly lesser or greater areas on smaller or larger onions;

(c) Sprouting when any visible sprout is more than one-half inch in length;

(d) Staining, dirt or foreign material when more than 25 percent of the onions in any lot are badly stained. Onions with adhering dirt or other foreign matter shall be judged on the same basis as stained onions;

(e) Mechanical when any cut extends deeper than two fleshy scales, or when cuts seriously damage the appearance of the onion; and,

(f) Watery scales when more than the equivalent of two entire outer fleshy scales are affected by an off-colored, watersoaked condition. The off-color must be of some shade of brown or yellow.

#### § 51.3212 Diameter.

*Diameter* means the greatest dimension of the onion at right angles to a line running from the stem to the root.

#### Metric Conversion Table

##### § 51.3213 Metric conversion table.

Inches	Millimeters (mm)
1/8 .....	3.2
1/4 .....	6.4
3/8 .....	9.5
1/2 .....	12.7
5/8 .....	15.9
3/4 .....	19.1
7/8 .....	22.2
1 .....	25.4
1 1/4 .....	31.8
1 1/2 .....	38.1

Inches	Millimeters (mm)
1 3/4 .....	44.5
2 .....	50.8
2 1/2 .....	63.5
2 3/4 .....	69.9
3 .....	76.2
3 1/2 .....	88.9
4 .....	101.6

Dated: February 9, 1995.

**Lon Hatamiya,**

*Administrator.*

[FR Doc. 95-3787 Filed 2-15-95; 8:45 am]

BILLING CODE 3410-02-P

#### Rural Utilities Service

##### 7 CFR Part 1717

#### Investments, Loans, and Guarantees by Electric Borrowers

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Proposed Rule.

**SUMMARY:** The Rural Utilities Service (RUS) hereby proposes to revise its policies and requirements governing restrictions on investments, loans and guarantees made by electric borrowers. This proposed rule is intended to clarify RUS's policies and requirements, reduce uncertainty by borrowers, and improve compliance.

**DATES:** Written comments must be received by RUS or carry a postmark or equivalent by April 17, 1995.

**ADDRESSES:** Written comments should be addressed to Mr. F. Lamont Heppe, Jr., Deputy Director, Program Support Staff, U.S. Department of Agriculture, Rural Utilities Service, Ag Box 1522, room 2234-S, 14th Street and Independence Avenue, SW., Washington, DC 20250-1500. RUS requires a signed original and 3 copies of all comments (7 CFR 1700.30 (e)). Comments will be available for public inspection during regular business hours (7 CFR 1.27(b)).

**FOR FURTHER INFORMATION CONTACT:** Mr. Alex M. Cockey, Jr., Deputy Assistant Administrator—Electric, U.S. Department of Agriculture, Rural Utilities Service, Ag Box 1560, room 4037-S, 14th Street & Independence Avenue, SW., Washington, DC 20250-1500. Telephone: 202-720-9547.

**SUPPLEMENTARY INFORMATION:** This proposed rule has been determined to be not significant for the purposes of Executive Order 12866, and therefore has not been reviewed by the Office of Management and Budget (OMB). The Administrator of RUS has determined that the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) does not apply to this

rule. The Administrator of RUS has determined that this rule will not significantly affect the quality of the human environment as defined by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Therefore, this action does not require an environmental impact statement or assessment. This rule is excluded from the scope of Executive Order 12372, Intergovernmental Consultation, which may require consultation with State and local officials. A Notice of Final Rule titled Department Programs and Activities Excluded from Executive Order 12372 (50 FR 47034) exempts RUS electric loans and loan guarantees from coverage under this Order. This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule; (2) Will not have any retroactive effect; and (3) Will not require administrative proceedings before any parties may file suit challenging the provisions of this rule.

The program described by this rule is listed in the Catalog of Federal Domestic Assistance Programs under number 10.850 Rural Electrification Loans and Loan Guarantees. This catalog is available on a subscription basis from the Superintendent of Documents, the United States Government Printing Office, Washington, DC 20402-9325.

#### Information Collection and Recordkeeping Requirements

The existing recordkeeping and reporting burdens contained in this rule were approved by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), under control numbers 0572-0017, 0572-0032, and 0572-0103. Additional information collection and recordkeeping requirements contained in this proposed rule have been submitted to OMB for review.

Send questions or comments regarding these burdens or any other aspect of these collections of information, including suggestions for reducing the burden, to the Office of Information and Regulatory Affairs, Office of Management and Budget, room 10102, NEOB, Washington, DC 20503. Attention: Desk Officer for USDA.

#### Background

On December 22, 1987, section 312 was added to the Rural Electrification Act of 1936. This section allows electric borrowers to invest their own funds or make loans or guarantees, not in excess of 15 percent of their total utility plant,